

**BEFORE THE STATE BOARD OF MEDIATION
STATE OF MISSOURI**

MISSOURI STATE COUNCIL 72 AND
LOCAL UNION NO. 622, AFSCME,
AFL-CIO,

Petitioner,

vs.

DEPARTMENT OF SOCIAL SERVICES,
STATE OF MISSOURI, DIVISION OF
HEALTH, MISSOURI CHEST HOSPITAL,

Respondent.

Public Case No. 81-030

DECISION

A hearing was conducted before the State Board of Mediation on Tuesday, March 16, 1982 in Jefferson City, Missouri in Public Case No. 81-030, Missouri State Council 72, Local 622 AFSCME, AFL-CIO vs. Missouri Department of Social Services, Division of Health, Chest Hospital. Board members present were Mr. Herbert Shaw, representing the employer, Mr. Charles Yaeger, representing the employee, and Mary Gant, Chairman representing the public.

At the hearing a stipulation was offered into evidence, and accepted by the Board as joint Exhibit No. 1 stipulating to a bargaining unit consisting of the following job classifications:

Clerk I, II and III; Clerk Stenographer I, II, and III; Clerk Typist I, II, and III; Bookkeeping Machine Operator, Duplicating Equipment Operator I, II, and III; Switchboard Operator I, Data Entry Operator I and II, Stores Clerk, Storekeeper I and II, Account Clerk I and II, Library Assistant, Medical Records Technician I, Custodial Worker I and II, Laundry Worker I and II, Seamstress I, Baker I and II, Cook I and II, Food Service Helper I, Meat Cutter I, X-Ray Technician I, Nursing Assistant I, II, and III; Licensed Practical Nurse I, II, and III; Respiratory Therapy Technician I and II, Physical Therapy Assistant, Physical Therapy Aide I, Pharmacy Assistant I, Laborer I and II, Maintenance Man I and II, Automotive

Mechanic, Refrigeration Mechanic I and II, Carpenter, Electrician, Plumber, Electronics Technician, Steam Fireman, Stationary Engineer, Assistant Operating Engineer - Tot Energy System, Operating Engineer - Tot Energy System, Barber I and II, Beautician, and Painter, but excluding all temporary, emergency, and provisional employees employed in any job classification previously listed; confidential secretaries to the Superintendents, Assistant Superintendents, Human Relations Officer, Department Heads and staff within the Personnel Office of the facility, and all other job classifications including unclassified positions.

The Board takes note of certain language in the stipulation agreed to by the Petitioner and Respondent, primarily items 6 through eleven, and comments that these provisions are binding on the Board only to the extent that they do not conflict with Chapter 105.500 through 105.530, RSMo 1978, or the rules and regulations of the Board.

ORDER OF ELECTION

An election by secret ballot shall be conducted by the Chairman of the State Board of Mediation among the employees in the unit found appropriate, as early as possible, but not later than sixty (60) days from the date below. The exact time and place will be set forth in the notice of election to be issued subsequently, subject to the Board's rules and regulations. Eligible to vote are those in the unit who were employed during the payroll period immediately proceeding the date below, including employees who did not work during period because of vacation or illness. Ineligible to vote are those employees who quit or were discharged for cause since the designated payroll period and who have not been rehired or reinstated before the election date. Those eligible to vote shall vote whether or not they desire to be represented for the purpose of exclusive recognition by Petitioner, Local 622.

It is hereby ordered that the Respondent shall submit to the Chairman of the State Board of Mediation, as well as to the Petitioner, within fourteen (14) days from the

date of receipt of this decision, an alphabetical list of the names and addresses of employees in the unit determined above to be appropriate who were employed during the designated payroll period.

Signed this 5th day of May, 1982.

STATE BOARD OF MEDIATION

(S E A L)

/s/ Mary L. Gant
Mary Gant, Chairman

/s/ Herbert Shaw
Herbert Shaw, Employer Member

/s/ C. J. Yaeger
Charles Yaeger, Employee Member